

A CERTIFIED TRUE COPY

ATTEST

By Teresa Bishop on Jan 27, 2009

FOR THE UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

Jan 09, 2009

FILED
CLERK'S OFFICE

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

IN RE: ASBESTOS PRODUCTS LIABILITY
LITIGATION (NO. VI)

C 09 - 4489 JCS
(SEE ATTACHED SCHEDULE)

MDL No. 875

FILED

FEB 10 2009

CONDITIONAL TRANSFER ORDER (CTO-318)

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

On July 29, 1991, the Panel transferred 21,937 civil actions to the United States District Court for the Eastern District of Pennsylvania for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See 771 F.Supp. 415 (J.P.M.L. 1991). Since that time, 83,678 additional actions have been transferred to the Eastern District of Pennsylvania. With the consent of that court, all such actions have been assigned to the Honorable Eduardo C. Robreno.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of Pennsylvania and assigned to Judge Robreno.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Pennsylvania for the reasons stated in the order of July 29, 1991, and, with the consent of that court, assigned to the Honorable Eduardo C. Robreno.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Pennsylvania. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:


Jeffery N. Lutin
Clerk of the Panel

Inasmuch as no objection is pending at this time, the stay is lifted.

Jan 27, 2009

CLERK'S OFFICE
UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

A TRUE COPY CERTIFIED TO FROM THE RECORD

DATED: 1/29/09

ATTEST: Tom Dempsey

DEPUTY CLERK, UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

**IN RE: ASBESTOS PRODUCTS LIABILITY
LITIGATION (NO. VI)**

MDL No. 875

SCHEDULE CTO-318 - TAG-ALONG ACTIONS

| <u>DIST. DIV. C.A. #</u> | <u>CASE CAPTION</u> |
|---------------------------------|---|
| CALIFORNIA CENTRAL | |
| CAC 2 08-7434 | Carol S. Dudash, et al. v. Alstom Power, Inc., et al. Opposed 1/26/09 |
| CAC 2 08-7548 | John Lusk, et al. v. A.B. Boyd Co., et al. Opposed 1/26/09 |
| CALIFORNIA NORTHERN | |
| CAN 3 08-3013 | Jeri Redman, et al. v. A.W. Chesterton Co., Inc., et al. Opposed 1/26/09 |
| CAN 3 08-4380 | Elmoyne Holbrook, et al. v. General Electric Co., et al. |
| CAN 3 08-4381 | Theoni Salcedo, et al. v. Newport News Shipbuilding & Dry Dock Co., et al. |
| CAN 3 08-4400 | Clark Ogle, et al. v. General Electric Co., et al. |
| CAN 3 08-4401 | Albert Hutto, et al. v. General Electric Co., et al. |
| CAN 3 08-4415 | Larry Yabarra, et al. v. General Electric Co., et al. |
| CAN 3 08-4416 | John Koloen, et al. v. General Electric Co., et al. Opposed 1/27/09 |
| CAN 3 08-4461 | Joseph Murray, et al. v. General Electric Co., et al. |
| CAN 3 08-4489 | Daniel Tarbell, Sr., et al. v. Kaiser Ventures, LLC, et al. |
| CAN 3 08-4490 | Thomas Huff, et al. v. Kaiser Ventures, LLC, et al. |
| CAN 3 08-4656 | Brenda Lunsford, et al. v. General Electric Co. |
| CAN 3 08-4926 | Cleo Ann Conner, et al. v. General Electric Co., et al. |
| CAN 3 08-5185 | Dennis Morillas, et al. v. General Electric Co. |
| CAN 3 08-5212 | Sheila Correia, et al. v. Newport News Shipbuilding & Dry Dock Co. |
| CAN 3 08-5260 | David Sanborn, et al. v. Asbestos Corp., Ltd., et al. Opposed 1/26/09 |
| CAN 4 08-4925 | Patsy Rood, etc. v. General Electric Co., et al. |
| CAN 4 08-5015 | Dorothy Seltmann, et al. v. A.W. Chesterton Co., et al. |
| CONNECTICUT | |
| CT 3 07-1359 | Lionel J. Despres, et al. v. Ampco-Pittsburgh Corp., et al. |
| CT 3 07-1912 | Hope Olivar, etc. v. Buffalo Pumps, Inc., et al. |
| CT 3 08-116 | Dorothy DeMatties, etc. v. Acmat Corp., et al. |
| CT 3 08-707 | Richard Carroll, et al. v. Buffalo Pumps, Inc., et al. |
| CT 3 08-1479 | Robert I. Hayford, Jr., et al. v. Buffalo Pumps, Inc., et al. |

MDL No. 875 - Schedule CTO-318 Tag-Along Actions (Continued)**DELAWARE**

DE 1 08-624

Herbert Pease v. A.W. Chesterton Co., Inc., et al.
Jacqueline Snyder, etc. v. A.O. Smith Corp., et al.**FLORIDA NORTHERN**

FLN 1 08-206

John Delatte, et al. v. A.W. Chesterton Co., Inc., et al.

ILLINOIS NORTHERN

ILN 1 08-5754

Marlene Woods, etc. v. CBS Corp., et al.

ILLINOIS SOUTHERN~~IES 3 08-755~~~~Arvid Johnson, et al. v. Foster Wheeler Energy Corp., et al.~~
~~Vacated 1/23/09~~**LOUISIANA EASTERN**~~LAE 2 08-4203~~~~Walter McDonald, et al. v. Crowley Maritime Corp., et al.~~
~~Opposed 1/27/09~~~~LAE 2 08-4204~~~~Clarence Scott Wren, Sr. v. Cooper/T. Smith Stevedoring, Inc., et al.~~
~~Opposed 1/27/09~~**LOUISIANA WESTERN**

LAW 5 08-1341

Joan Montalbano, et al. v. Crown Cork & Seal Co., Inc.

MICHIGAN EASTERN

MIE 2 91-72030

Alfonso Estrada, et al. v. ACandS, Inc., et al.

MIE 2 91-72171

Robert H. Middleton, et al. v. ACandS, Inc., et al.

~~MIE 2 08-14920~~~~Garry Turner v. Grand Trunk Western Railroad, Inc.~~
~~Opposed 1/27/09~~**MINNESOTA**

MN 0 08-1417

Marvin Gurewitz, etc. v. American Standard, Inc., et al.

MN 0 08-6301

Marvin Dunlap, et al. v. Soo Line Railroad Co.

NORTH CAROLINA EASTERN

NCE 2 08-31

Jerome Bowen Blake v. Anchor Packing Co., et al.

NCE 4 08-118

Harvey Worthington Turnage, Jr., et al. v. Anchor Packing Co., et al.

NCE 4 08-137

Diane Schechter, etc. v. Anchor Packing Co., et al.

NCE 5 08-378

Jessie Darquenne Ashley, etc. v. Anchor Packing Co., et al.

NCE 7 08-106

George N. White, Jr., et al. v. Aqua-Chem, Inc., et al.

NCE 7 08-112

Russell Jay Aderhold, et al. v. Aqua-Chem, Inc., et al.

NCE 7 08-138

David W. Williams, et al. v. Aqua-Chem, Inc., et al.

NCE 7 08-150

Norwood Shelton Wood, et al. v. Anchor Packing Co., et al.

MDL No. 875 - Schedule CTO-318 Tag-Along Actions (Continued)**NORTH CAROLINA MIDDLE**

| | |
|--------------|--|
| NCM 1 08-697 | Donald Ray Clark v. Aqua-Chem, Inc., et al. |
| NCM 1 08-708 | Douglas I. Grandy, et al. v. Aqua-Chem, Inc., et al. |
| NCM 1 08-709 | Terry W. Wyrick, et al. v. Aqua-Chem, Inc., et al. |
| NCM 1 08-764 | Rosa Lee Manning, et al. v. Aqua-Chem, Inc., et al. |
| NCM 1 08-765 | Thomas C. Purdy, et al. v. Aqua-Chem, Inc., et al. |
| NCM 1 08-783 | Jimmie Lee Thompson, Sr. v. Aqua-Chem, Inc., et al. |
| NCM 1 08-784 | Cary Brown Murphy, et al. v. Aqua-Chem, Inc., et al. |
| NCM 1 08-893 | Gary Wade Shue, etc. v. Aqua-Chem, Inc., et al. |

NORTH CAROLINA WESTERN

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|--------------|---|
| NCW 1 07-383 | Jackie C. Laney, et al. v. A.W. Chesterton Co., Inc., et al. |
| NCW 1 08-478 | William M. Hamrick, Sr., et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 08-479 | Murray D. Washam, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 08-480 | Bennie G. Pryor, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 08-481 | Brenda T. Fuller, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 08-486 | Dennis W. Richard, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 08-487 | Linda K. Burrell, etc. v. Aqua-Chem, Inc., et al. |
| NCW 1 08-490 | Timothy B. Grass, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 08-491 | William C. Sturdivant, Jr., et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 08-493 | Sueann B. Setzer, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 08-494 | Danny Ray Shepherd, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 08-498 | Larry R. Robinette, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 08-499 | Gary A. Cornelius, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 08-500 | James F. Barker, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 08-502 | Charles R. Bradshaw, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 08-503 | Ronald K. Bridges, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 08-504 | Joe Dean Byers v. Aqua-Chem, Inc., et al. |
| NCW 1 08-505 | Robin G. Caskey, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 08-506 | Tommy E. Cauthen, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 08-508 | Leon W. Crocker, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 08-509 | Jacob M. Dellinger, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 08-511 | Timothy S. Dellinger, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 08-512 | Eddie Ray Evans, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 08-513 | Tony V. Lineberger, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 08-514 | Coy B. Helms, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 08-517 | Randy G. Mahaffey, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 08-518 | Gary T. McGee, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 08-522 | James Boyce Mitchem v. Aqua-Chem, Inc., et al. |
| NCW 1 08-524 | Stanley B. Rucker, et al. v. Aqua-Chem, Inc., et al. |

MDL No. 875 - Schedule CTO-318 Tag-Along Actions (Continued)

NCW 1 08-525
 NCW 1 08-527
 NCW 1 08-528
 NCW 1 08-529

Kenneth L. Rumfelt, et al. v. Aqua-Chem, Inc., et al.
 Danny L. Setzer, et al. v. Aqua-Chem, Inc., et al.
 Timothy A. Sheppard v. Aqua-Chem, Inc., et al.
 Robert L. Witherspoon, et al. v. Aqua-Chem, Inc., et al.

NEW HAMPSHIRE
 NH 1 08-458

Judith L. Jackson, etc. v. Metropolitan Life Insurance Co., et al.

NEW JERSEY
~~NJ 2 08-5112~~

~~Francine Peluso v. Asbestos Corp., Ltd., et al. Opposed 1/26/09~~

NEW YORK EASTERN
 NYE 1 08-3221
 NYE 1 08-3436

Edward Kelchner v. A.W. Chesterton Co., Inc., et al.
 Mozelle Justice, etc. v. A.W. Chesterton Co., Inc., et al.

NEW YORK SOUTHERN
~~NYS 1 08-10228~~

~~Michael Curry v. American Standard, Inc., et al. Opposed 1/14/09~~

OHIO NORTHERN
 OHN 1 08-10006
 OHN 1 08-10007

Willard E. Bartel, et al. v. A-C Product Liability Trust, et al.
 Willard E. Bartel, et al. v. A-C Product Liability Trust, et al.

OKLAHOMA NORTHERN
 OKN 4 08-590

Donnis Lawson, etc. v. Burlington Northern & Santa Fe Railway Co.

OREGON
~~OR 3 08-469~~

~~Vivian L. Dunn, etc. v. B&P Process Equipment & Systems, LLC, et al. Opposed 1/26/09~~

RHODE ISLAND
 RI 1 05-252
 RI 1 05-253
 RI 1 08-472

Micheline Moore, etc. v. A.W. Chesterton Co., Inc., et al.
 Helen Docherty, etc. v. A.W. Chesterton Co., Inc., et al.
 Michael D. Beamis v. Buffalo Pumps, Inc.

SOUTH CAROLINA
 SC 0 08-3356
 SC 0 08-3415
 SC 0 08-3561

James Monroe Scott, et al. v. Aqua-Chem, Inc., et al.
 William T. Clinton, et al. v. Aqua-Chem, Inc., et al.
 Robert S. Glenn, Jr., et al. v. Aqua-Chem, Inc., et al.

MDL No. 875 - Schedule CTO-318 Tag-Along Actions (Continued)

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| SC 0 08-3562 | Perry Littlejohn v. Aqua-Chem, Inc., et al. |
| SC 0 08-3565 | James K. Lightsey, et al. v. Aqua-Chem, Inc., et al. |
| SC 0 08-3566 | Tony D. Hamilton, et al. v. Aqua-Chem, Inc., et al. |
| SC 0 08-3730 | Gardy F. Oliver, Jr., et al. v. Aqua-Chem, Inc., et al. |
| SC 0 08-3738 | Donald W. Ligon, et al. v. Aqua-Chem, Inc., et al. |
| SC 0 08-3739 | Ronald E. Parham, et al. v. Aqua-Chem, Inc., et al. |
| SC 2 08-3759 | Madge L. Pittman, etc. v. Owens-Illinois, Inc., et al. |
| SC 7 08-3736 | Boyd Holcomb, et al. v. Aqua-Chem, Inc., et al. |
| SC 7 08-3741 | Michael E. Parker, et al. v. Aqua-Chem, Inc., et al. |
| SC 7 08-4096 | Bill Bailey, etc. v. Aqua-Chem Inc., et al. |
| SC 8 08-3357 | Odell C. Weaver, et al. v. Aqua-Chem, Inc., et al. |
| SC 8 08-3362 | Teresa H. Dale, et al. v. Aqua-Chem, Inc., et al. |
| SC 8 08-3416 | Selma F. Whitfield, et al. v. Aqua-Chem, Inc., et al. |
| SC 8 08-3420 | Shirley C. Harden, et al. v. Aqua-Chem, Inc., et al. |
| SC 8 08-3424 | James Kenneth Black, et al. v. Aqua-Chem, Inc., et al. |
| SC 8 08-3446 | Charles D. Crisp, et al. v. Aqua-Chem, Inc., et al. |
| SC 8 08-3448 | John Michael Ashley, et al. v. Aqua-Chem, Inc., et al. |
| SC 8 08-3560 | Larry M. Parker, et al. v. Aqua-Chem, Inc., et al. |

TENNESSEE EASTERN

~~TNE 3 08-368~~ ~~Angie Smiddy, etc. v. Alcoa, Inc.~~ **Opposed 1/26/09**

UTAH

~~UT 2 08-630~~ ~~Ronnie Smith, et al. v. Ford Motor Co., et al.~~ **Opposed 1/27/09**

VIRGINIA EASTERN

| | |
|---------------|--|
| VAE 2 08-9368 | Eugene L. Beckerle v. American Standard, Inc., et al. |
| VAE 2 08-9369 | Jesus Marquez v. American Standard, Inc., et al. |
| VAE 2 08-9370 | Orlando Sanchez v. American Standard, Inc., et al. |
| VAE 2 08-9371 | Albert W. Anderson v. American Standard, Inc., et al. |
| VAE 2 08-9372 | Hjalner E. Nygard v. American Standard, Inc., et al. |
| VAE 2 08-9373 | Johnny A. O'Neal, Jr. v. American Standard, Inc., et al. |
| VAE 2 08-9374 | Robert A. Smith v. American Standard, Inc., et al. |
| VAE 2 08-9375 | Robert Lee Zamora v. American Standard, Inc., et al. |
| VAE 2 08-9377 | Michael E. Sanders v. American Standard, Inc., et al. |
| VAE 2 08-9430 | Dennis R. Callihan v. American Standard, Inc., et al. |
| VAE 2 08-9431 | Walter V. Ward v. American Standard, Inc., et al. |
| VAE 2 08-9432 | William H. Monroe, Jr., etc. (George H. Heckman, Jr.) v. American Standard, Inc., et al. |
| VAE 2 08-9433 | Donald L. Hardsaw, Sr. v. American Standard, Inc., et al. |

MDL No. 875 - Schedule CTO-318 Tag-Along Actions (Continued)

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|-----------------------|---|
| VAE 2 08-9434 | Emmett Kirtley v. American Standard, Inc., et al. |
| VAE 2 08-9435 | Pete A. Ortega v. American Standard, Inc., et al. |
| VAE 2 08-9452 | Roger K. Bergholz v. American Standard, Inc., et al. |
| VAE 2 08-9453 | Ronald M. Elde v. American Standard, Inc., et al. |
| VAE 2 08-9454 | Arthur J. Demasi v. American Standard, Inc., et al. |
| VAE 2 08-9455 | Raymond E. Ficklin v. American Standard, Inc., et al. |
| VAE 2 08-9456 | Richard L. Adams v. American Standard, Inc., et al. |
| VAE 2 08-9457 | Dennis Brown v. American Standard, Inc., et al. |
| VAE 2 08-9458 | Donald F. Carroll, et al. v. The Budd Co., et al. |
| VAE 2 08-9459 | Larry Dixon v. American Standard, Inc., et al. |
| VAE 2 08-9460 | Francis G. Gross v. American Standard, Inc., et al. |
| VAE 2 08-9461 | James H. Hasenfuss v. American Standard, Inc., et al. |
| VAE 2 08-9462 | John R. Hastings, Sr. v. American Standard, Inc., et al. |
| VAE 2 08-9463 | Alfred A. Haugen v. American Standard, Inc., et al. |
| VAE 2 08-9464 | Francis J. Hedstrom v. American Standard, Inc., et al. |
| VAE 2 08-9465 | Jay R. Hutton v. American Standard, Inc., et al. |
| VAE 2 08-9466 | Edward L. Lee v. American Standard, Inc., et al. |
| VAE 2 08-9467 | Jack H. Lester v. American Standard, Inc., et al. |
| VAE 2 08-9468 | Raymond C. Martin v. American Standard, Inc., et al. |
| VAE 2 08-9469 | Harold B. Martinson v. American Standard, Inc., et al. |
| VAE 2 08-9470 | Thomas C. McDougall v. American Standard, Inc., et al. |
| VAE 4 08-3247 | Robert Irving Armistead v. 3M Business Products Sales, Inc., et al. |
| | |
| VIRGIN ISLANDS | |
| VI 1 08-54 | Gabriel Alexander v. St. Croix Alumina, LLC, et al. |
| VI 1 08-55 | Theodore Simon v. St. Croix Alumina, LLC, et al. |

MICHAEL E. KUNZ
CLERK'S OFFICE
CLERK OF COURT

ROOM 2609
(267) 299-7018

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA
U.S. COURT HOUSE
601 MARKET STREET
PHILADELPHIA 19106-1797

RECEIVED

FEB 10 2009

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: ASBESTOS PRODUCTS LIABILITY LITIGATION
MDL 875
CA-N, Div. 3- See Attached Schedule

Dear Clerk:

The enclosed certified copy of a Conditional Transfer Order (CTO-318) from the Judicial Panel is being sent to you regarding the involved action(s) listed on the attached schedule. These case(s) have been properly identified as multi district litigation asbestos cases.

****PLEASE DO NOT FORWARD ANY OF THE RECORD OR ANY DOCUMENTS TO
OUR COURT. WE ALSO DO NOT NEED A COPY OF THE DOCKET OR THIS
ORDER RETURNED TO OUR COURT.****

This copy is information for your court's records. We will extract your case from the pacer website; you are not required to forward any documents from your court's records. We are in the process of assigning new case numbers and all future docketing will be conducted in our court. A Transfer Order and Case Log will be sent to your Clerk. If you have any questions please contact me at (267) 299-7018.

Sincerely,

MICHAEL E. KUNZ
Clerk of Court



Tom Dempsey
MDL Docketing Clerk

Enclosure